

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

– *against* –

SUCRE ALMANZAR-ALBA,
Defendant.

ORDER

22-cr-00259 (ER)

RAMOS, D.J.:

On September 23, 2022, Defendant Sucre Almanzar-Alba was sentenced to 60 months' imprisonment for distribution and possession with intent to distribute fentanyl. On December 1, 2023, he moved for a sentence reduction pursuant to Amendment 821 to the United States Sentencing Guidelines, which provides for a two-level reduction from the applicable total offense level for defendants with zero criminal history points who meet certain criteria. Doc. 26. The United States Probation Office filed a supplemental presentence report concluding that Almanzar-Alba was eligible for the zero-point offender recalculation. Doc. 27 at 3. The report also noted, however, that Almanzar-Alba's original guideline range was 108 to 135 months and that his amended guideline range, with the requested reduction, would be 87 to 108 months. *Id.* The probation office noted that because the 60-month sentence imposed was at or below the low end of the amended guideline range, Almanzar-Alba is not eligible for a sentence reduction. *Id.*

Accordingly, the motion for a sentence reduction is DENIED. The Clerk of Court is respectfully directed to terminate the motion, Doc. 26.

It is SO ORDERED.

Dated: January 3, 2024
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS, U.S.D.J.